

UNITED STATES DISTRICT COURT

District of Massachusetts

TODD FENER

V.

SUMMONS IN A CIVIL ACTION

ASPEN TECHNOLOGY, INC.,  
LAWRENCE B. EVANS,  
LISA W. ZAPPALA,  
DAVID McQUILLIN and  
CHARLES F. KANE

CASE NUMBER:

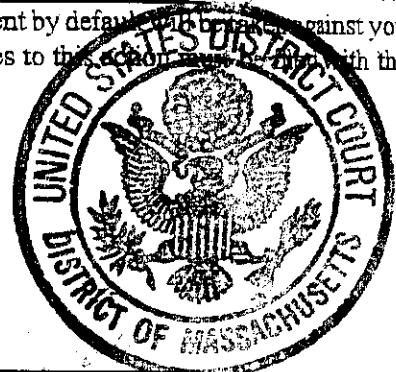
04 CV 12375 RCL

TO (Name and address of Defendant)  
Lawrence B. Evans  
c/o Aspen Technology, Inc.  
Ten Canal Park  
Cambridge, MA 02141

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)  
Theodore M. Press-Mahan  
Shapiro Haber & Urmy LLP  
53 State Street  
Boston, MA 02109

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an answer to the complaint which is served on you with this summons, within \_\_\_\_\_ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



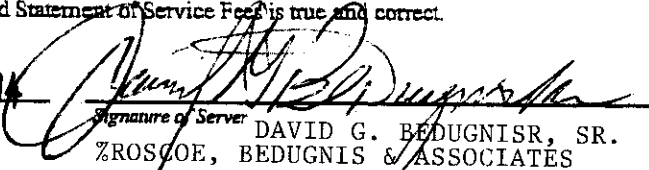
JUDY ANASTAS

CLERK

DATE

(By) DEPUTY CLERK

SAO 440 (Rev. 8/01) Summons in a Civil Action

<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE DECEMBER 10, 2004 at 3:30 p.m.	
NAME OF SERVER ( <i>PRINT</i> ) DAVID G. BEDUGNIS, SR.	TITLE CONSTABLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served:  <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:  <input type="checkbox"/> Returned unexecuted:  BY GIVING SAID COPIES IN HAND TO KIM KADING, EXECUTIVE ASST./LEGAL DEPARTMENT OF X <i>Other (specify):</i> ASPEN TECHNOLOGY, INC., IT'S AGENT AND PERSON IN CHARGE OF THE BUSINESS AT THE TIME OF SERVICE. SAID SERVICE WAS MADE AT ASPEN TECHNOLOGY, INC., TEN CANAL PARK, CAMBRIDGE, MASSACHUSETTS. SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL \$20.00	SERVICES \$25.00	TOTAL \$45.00
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>DEC 10 2004</u> at 3:30 <sup>Date</sup> p.m.</p> <p style="text-align: right;">             Signature of Server: DAVID G. BEDUGNIS, SR.            %ROSCOE, BEDUGNIS &amp; ASSOCIATES            15 COURT SQUARE, SUITE 450            BOSTON, MASSACHUSETTS 02108            Address of Server         </p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

LAWS B.F.M.  
 c/o ASA  
 11/10/04  
 CME